



RCE/28238  
#20/Request for RCE  
5-10-01  
A. Spruell

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/008,531
Filing Date	January 16, 1998
First Named Inventor	Howard E. Rhodes
Group Art Unit	2823
Examiner Name	K. Eaton
Attorney Docket Number	MIO 0012 V2

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply | 05/03/2001 SDIRETA1 00000063 09008531
  - ii. ☐ Affidavit(s)/Declaration(s) | 01 FC:179
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☒ Other Appendix | 710.00 OP

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17 (required))
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
  - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gregory J. Adams	Registration No. (Attorney/Agent)	44,494
Signature		Date	April 30, 2001

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Rebecca A. Swope, File Clerk	Date	April 30, 2001
Signature			

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L. Spruell  
fee OK

Application of

Applicants : Rhodes et. al  
Serial No. : 09/008,531  
Filed : 01/16/98  
Title : METHOD OF MAKING A SEMICONDUCTOR DEVICE  
HAVING IMPROVED CONTACTS  
Docket No. : MIO0012V2  
Examiner : EATON  
Art Unit : 2823

Box RCE

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Reconsideration of the present application is respectfully requested in light of the amendments and remarks below.

**In the Claims:**

The entire set of presently pending claims has been reproduced below for the convenience of the Examiner. Amended claims, new claims, and canceled claims are indicated as such in the parenthetical following each claim number. Attached hereto as appendix A is a marked-up reproduction of the claims illustrating changes made to the claims. Additions have been underscored and deletions have been bracketed.

Please amend the claims as follows: